ED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:

Robert Kehl Sink

APPLICATION NO.:

10/751,041

FILING DATE:

December 31, 2003

TITLE:

Multi-Spot Laser Surgical Apparatus and Method

EXAMINER:

Henry M. Johnson III

GROUP ART UNIT:

3739

ATTY. DKT. NO.:

23920-08335 (RLT-119)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: March 13, 2006

Michael W. Farn, Reg. No. 41,015

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry
into the national stage of an international application, or before the mailing
date of a first office action on the merits, whichever event last occurred;

	before the	mailing of a first official action after the filing of a request for						
	continued e	examination (RCE) under 37 CFR § 1.114;						
\boxtimes	after three	months of the filing date of this national application or the date						
	of entry of	the national stage in an international application, or after the						
	mailing dat	e of the first official action on the merits, whichever event last						
	occurred, b	ut before the mailing date of the first to occur of either: (1) a						
		under 37 CFR §1.113; or (2) an action that otherwise closes						
		n in the application, and:						
	⊠ att	ached hereto is the fee set forth under 37 CFR §1.17(p) for						
		omission of this Information Disclosure Statement under 37						
		FR.§ 1.97(c); OR						
	☐ Ap	oplicant certifies pursuant to 37 CFR § 1.97(e) that:						
		each item of information contained in this Information						
		Disclosure Statement was first cited in a communication						
		from a foreign patent office in a counterpart foreign						
	,	application not more than three months prior to the filing of						
		this Statement; OR						
		no item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
		foreign patent office in a counterpart foreign application						
		and, to the knowledge of the person signing this						
	·	certification after making reasonable inquiry, no item of						
		information contained in this Statement was known to any						
		individual designated under 37 CFR § 1.56(c) more than						
		three months prior to the filing of this Statement;						
	on or befo	re the payment of the issue fee but after the mailing date of the						
	first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a							
	notice of a	notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise						
	closes pro	closes prosecution in the application, and:						
	☐ Ap	oplicant certifies pursuant to 37 CFR. § 1.97(e) that:						
		each item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
		foreign patent office in a counterpart foreign application no						
		more than three months prior to the filing of this Statement;						
		no item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						

		foreign patent office in a counterpart foreign application
		and, to the knowledge of the person signing this
		certification after making reasonable inquiry, no item of
•		information contained in this Statement was known to any
		individual designated under 37 CFR § 1.56(c) more than
	,	three months prior to the filing of this Statement; AND
		•
		attached hereto is the fee set forth under 37 CFR §1.17(p) for
		submission of this Information Disclosure Statement under 37
		CFR.§ 1.97(d); OR
		after the payment of the issue fee. Applicant requests that the information
		contained in this Information Disclosure Statement be placed in the file
		according to 37 CFR § 1.97(i), although the information may not be
		considered by the USPTO.
	r n	Enclosed is a copy of each listed reference that may be material to the
	_	examination of this application, and for which there may be a duty to disclose.
	\boxtimes	Copies of any foreign patent documents and non-patent literature cited herein are
		enclosed.
		Each item of information contained in this Information Disclosure Statement was
		cited in a communication from a foreign patent office in a counterpart application,
		and the communication was not received by any individual designated in 37 CFR
		§ 1.56(c) more than thirty days prior to the filing of this Information Disclosure
		Statement. 37 CFR § 1.704(d).
		Applicant submits that no fee is required for the consideration of this Information
•		Disclosure Statement.
	Consid	leration of the listed references and favorable action are solicited.
•		Respectfully submitted,
		•
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•		$\mathcal{A}_{\mathcal{A}} = \mathcal{A}_{\mathcal{A}} = $
Dated:	March	13, 2006 By: [lickally]
	•	Michael W. Farn, Reg. No. 41,015 Fenwick & West LLP
		Silicon Valley Center
		801 California Street
		Mountain View, CA 94041
		Tel.: (650) 335-7823
		Fax (650) 938-5200

Substitute for form 1449A/PTO	Complete if Known			
INFORMAZIONE TIECI OSLIDE	Application No.	10/751,041		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	December 31, 2003		
STATEMENT BY AFFLICANT	First Named Inventor	Robert Kehl Sink		
(MAR 1 6 2006 E)	Art Unit	3739		
\ <u>\$</u>	Examiner Name	Henry M. Johnson III		
Sheet 2	Attorney Docket Number	23920-08335 (RLT-119)		

			U.S. PATE	NT DOCUMENTS
		Document No.		
Examiner Initials*	Cite No.1	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-2003/0034959	08-17-2001	Davis, et al.
		US-2004/0000316	03-31-2003	Knowlton et al.
		US-2004/0152943	01-27-2003	MacFarland et al.
		US-4,718,416	01-11-1985	Nanaumi et al.
		US-5,002,051	07-14-1989	Dew et al.
		US-5,843,073	03-29-1995	Sinofsky
		US-5,860,967	07-21-1993	Zavislan et al.
		US-5,860,968	11-03-1995	Wojcik et al.
		US-5,938,657	02-05-1997	Assa et al.
		US-5,947,956	11-04-1997	Karell
		US-6,059,820	10-16-1998	Baronov
		US-6,142,939	12-09-1998	Eppstein et al.
		US-6,171,302	03-18-1998	Tal.pal.riu et al.
		US-6,235,015	05-12-1998	Mead et al.
		US-6,406,474	09-30-1999	Neuberger et al.
		US-6,443,978	09-22-2000	Zharov
		US-6,607,523	12-13-2001	Asah et al.
		US-6,652,512	06-12-2001	Ota
		US-6,676,654	09-13-2000	Bal.le-Petersen et al.
		US-6,695,835	02-22-2002	Furuno et al.
		US-6,788,967	03-23-1999	Ben-Haim et al.
		US-6,836,278	03-19-2001	Saito et al.
		US-6,997,923	12-27-2001	Anderson et al.

Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

	Substitute for	form 1449/	A/PTO	Complete if Known			
INFO	RMATION	ישוח וי	CLOSURE	Application No.	10/751,041		
			PPLICANT	Filing Date	December 31, 2003		
, OIA	. FIAIFIA I	DI AI	PLICANI	First Named Inventor	Robert Kehl Sink		
				Art Unit	3739		
				Examiner Name	Henry M. Johnson III		
Sheet	2 of		2	Attorney Docket Number	23920-08335 (RLT-119)		

			FOREIGN PA	TENT DOCUMENTS	
		Foreign Patent Document			
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ₆
	1	WO 04/86947	10-14-04	Manstein, et al.	

		OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
	2	FUJII, H. et al., "Fibre bundle scanner for laser photocoagulation," <i>Optics and Laser Technology</i> , February 1982, pages 39-40	
	3	HUZAIRA, Misbah et al., "Intradermal focusing of near-infrared optical pulses: A new approach for non-ablative laser therapy," <i>American Society for Laser Medicine and Surgery</i> , Supplement 15, 2003, Abstract 66, page 21.	
	4	KHATRI, K. et al., "Treatment of rhytids with subsurface-focused Er:YLF laser," <i>American Society for Laser Medicine and Surgery</i> , Supplement 15, 2003, Abstract 68, page 21.	
	- 5	MANSTEIN, D. et al., "Spatially Confined Photothermolysis of dermal targets using an IR-fiberlaser in combination with focusing and contact cooling," <i>American Society for Laser Medicine and Surgery</i> , Supplement 14, 2002, Abstract 92, page 28.	
	6	Naess, Espen et al., "Computer-assisted laser photocoagulation of the retinaa hybrid tracking approach," <i>Journal of Biomedical Optics</i> 7(2), April 2002, pages 179-189.	

Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.



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A COMPENSATION OF THE PARTY OF		Application	on Number	10/751,041	
	Filing Da	te	December 31, 2003		
TRANSMITTAL FOR	M	First Nam	ned Inventor	Robert Kel	nl Sink
(to be used for all correspondence during po filed application)	endency of	Group Ar	t Unit Number	3739	
,		Examine	Name	Henry M. J	ohnson III
Total Number of Pages in This Submission	20 *	Attorney	Docket Number	23920-083	35 (RLT-119)
ENCL	OSURES	(check	all that apply	<u>()</u>	
Fee Transmittal Form (in duplicate)	0001120	1	Issue Fee Transr		
Check Enclosed					
<u></u>			Letter to Chief Dr	•	
Return Receipt Postcard			Formal Drawing(s		
Response to Notice to File Missing Par) of Figure(s) []
Assignment & Recordation Cover Shee	∍t		Appeal Commun	ication to Board	of Appeals and
Declaration .			Interferences	_	
Power of Attorney	•	لنا	Appeal Commun	•	
Application Data Sheet		(Appeal Notice, Brief, Reply Brief)			
Information Disclosure Statement & P1		Certified Copy of Priority Document(s)			
Copies of IDS Cited Referen	ces		After Allowance (Communication	to Group
Request for Corrected Filing Receipt					
Request for Correction of Recorded As	signment				
Amendment/Response: 12 Pages					
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After Final					
Status Request					
Revocation and Substitute Power of Al	ttorney				
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	1	<u> </u>	TET ON AGE	· · · · · · · · · · · · · · · · · · ·	
Signature: Webael U'					
Attorney/Reg. No.: Michael W. Farn, Re	g. No. 41,01	5		Dated:	March 13, 2006
•	CERTIFIC	ATE OF	MAILING		
I hereby certify that this correspondence, including first class mail in an envelope addressed to: Mail S the date shown below. If the Express Mail Mailing Postal Service "Express Mail Post Office to Address	the enclosures top Amendmer Number is filled	identified ab it, Commissi in below, the	ove, is being deposit oner for Patents, P.C en this corresponden	D. Box 1450, Alexa	andria, VA 22313-1450 on
Signature: Wuchaul W	7				
Typed or Printed Name: Michael W. Fa	rn			Dated:	March 13, 2006
Express Mail Mailing Number (optional):			·		



Patent fees are subject to annual revision. Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 715

Complete if Known				
Application Number	10/751,041			
Filing Date	December 31, 2003			
First Named Inventor	Robert Kehl Sink			
Examiner Name	Henry M. Johnson III			
Art Unit	3739 .			
Attorney Docket No.	23920-08335			

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)						
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None ☐ Deposit Account:		3. ADDITIONAL FEES						
Deposit Account Number	19-2555	Large I	Entity	Small E	Entity	Fee Description	Fee Paid	
Deposit Account Name	Fenwick & West LLP	Fee Code	Fee (\$)	Fee Code	Fee (\$)			
	orized to: (check all that apply)	1051	130	2051	65	Surcharge - late filing fee or oath or declaration		
_	below 🛛 Credit any overpayments	1052	. 50	2052	25	Surcharge - late provisional filing fee or cover sheet		
• •	s) or any underpayment of fee(s) due \$1.17 during the pendency of this	1053	130	1053	130	Non-English specification		
application	§1.17 during the pendency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination		
Charge fee(s) indicated below, except for the filing fee to		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
the above-identified deposit account.		1805	. 1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
FEE CALCULATION		1251	120	2251	60	Extension for reply within first month		
1. BASIC FILING FEE		1252	450	2252	225	Extension for reply within second month		
Large Entity Small Entity		1253	1020	2253	510	Extension for reply within third month	510	
Fee Fee Fee	Fee Description Fee Paid	1254	1,590	2254	795	Extension for reply within fourth month		
Code (\$) Code (\$)		1255	2,160	2255	1,080	Extension for reply within fifth month		
	·	1401	500	2401	250	Notice of Appeal	——	
	ļ	1402 1403	500 1000	2402 2403	250 500	Filing a brief in support of an appeal Request for oral hearing		
		1403	1,510		1.510	Petition to institute a public use proceeding		
		1452	500	2452	250	Petition to revive - unavoidable		
SUBTO	ral (1) (\$) -0-	1453	1,500	2453	750	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1501	1,400	2501	700	Utility issue fee (or reissue)		
2	ra Claims Fee from Fee Paid	1502	800	2502	400	Design issue fee		
Total Claims 36 -35**=		1503	1100	2503	550	Plant issue fee		
Independent Claims 2 -3** = 0) × 100 = 0	1460		1460	_	Petitions to the Director		
Multiple Dependent	= 0	1807	50	1807	50	Processing fee for Provisional Applications		
Large Entity Small Entity		1806	180	1806	180	Submission of Information Disclosure Stmt	180	
Fee Fee Fee Code (\$)	Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1202 50 2202 25	Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))		
1201 200 2201 100	Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		
1203 360 2203 180	Multiple dependent claim, if not paid	1801	790	2801	395	Request for Continued Examination (RCE)		
1204 200 2204 100	**Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application		
1205 50 2205 25 **Reissue claims in excess of 20 and over original patent			Other fee (specify)					
SUBTO					SUBTOTAL (3) (\$) 690			
SUBTOTAL (2) (\$) 25 "or number previously paid, if greater, For Reissues, see above			Reduced by Basic Filing Fee Paid					
1								

SUBMITTED BY Complete (if applicable)							
Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent)	41,015	Telephoné (650) 335-7823			
Signature	Webselled		Date	March 13, 2006			